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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/938,512	08/27/2001	Monica Maria Wilhelmina Mathea Roosen	0142-0374P	1913

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EXAMINER	
THOMPSON, JAMES A	
ART UNIT	**PAPER NUMBER**
2625	

DATE MAILED: 06/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/938,512	ROOSEN ET AL.	
	Examiner	Art Unit	
	James A. Thompson	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 January 2006 and 27 March 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *3-7, 10-15 and 17-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *3-7, 10-15 and 17-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *18 November 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☒ Certified copies of the priority documents have been received in Application No. 09/272,556.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 24 January 2006 has been entered.

Response to Arguments

2. Applicant's arguments filed 24 January 2006 have been fully considered but they are not persuasive.

The present amendments to the claims have been entered and finality of the previous office action withdrawn due to the timely submission of an RCE. As stated in the Advisory Action mailed 30 March 2006, Applicant's present arguments are based on the present amendments to the claims, and not the claims as recited prior to the previous office action, dated 15 September 2005 and mailed 27 September 2005. New grounds of rejection are therefore set forth below.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 3-7, 10-15 and 17-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Rourke (US Patent 5,995,721).

Regarding claim 7: Rourke discloses receiving a print file from a remote location and storing the print file, while not automatically printing the print file (figure 8(92-98) and column 9, lines 39-47 of Rourke); distributing at least the metadata of each received print file to all of said plurality of printers (figure 12 and column 12, line 62 to column 13, line 10 of Rourke); each of said plurality of printers making each print file available for selection and printing, through respective local operating units of said plurality of printers (column 9, line 66 to column 10, line 9 of Rourke), but not printing any print files without an explicit command from the printer (column 9, lines 58-65 of Rourke); and storing, in each printer, information on capabilities and status of connected printers (figure 7 and column 9, lines 9-13 of Rourke), wherein each of said plurality of printers performs the steps of: automatically analysing each print file metadata as to printer capabilities necessary for printing the print file (column 10, lines 19-28 of Rourke); automatically checking if that printer can print the print file in accordance with the settings included in the metadata (column 10, lines 19-28 of Rourke); and upon receiving from

the local operating unit a selection and an associated print start command for a print file (column 10, lines 28-31 of Rourke): if the printer cannot print the print file in accordance with the settings, automatically advising, through a display of the local operating unit, of at least one other printer that can print said print file in accordance with the settings, but not issuing a print command to said other printers (column 10, lines 55-65 of Rourke); and if the printer can print the print file in accordance with the settings, starting printing the file (column 10, lines 30-35 and lines 47-50 of Rourke).

Regarding claim 3: Rourke discloses that advice is given if another printer having said capabilities needed for processing said job is available (column 10, lines 30-35 and lines 55-63 of Rourke).

Regarding claim 4: Rourke discloses that, if more than one other printer can process the job, the advice indicates the one other printer (column 7, lines 7-11 and column 10, lines 28-35 of Rourke) on the basis of the walking distance from the first printer (column 10, lines 40-45 of Rourke).

Regarding claim 5: Rourke discloses that, if more than one other printer can process the job, the advice indicates the one other printer (column 7, lines 7-11 and column 10, lines 28-35 of Rourke) on the basis of the degree of occupation (column 10, lines 40-47 of Rourke). One reason an available processor would have an unacceptable processing speed (column 10, lines 40-47 of Rourke) is if the available processor is overly occupied.

Regarding claim 6: Rourke discloses that said advising has the form of a message on the display of said printer (column 7, lines 7-9 and column 10, lines 34-40 of Rourke).

Regarding claim 10: Rourke discloses that the network system further includes a plurality of scanners (column 7, lines 2-5 of Rourke), each of said scanners having a local operating unit provided with operating means and a display (column 7, lines 7-11 of Rourke), and each of the scanners being capable of generating a print file to be printed by the plurality of printers (column 7, lines 2-14 of Rourke), the method further comprising the steps of storing, in each scanner, information on capabilities and status of connected scanners (column 7, lines 15-31 of Rourke); and locally initiating a scan job through the local operating unit of a first scanner (column 7, lines 7-14 of Rourke), said scan job including scan job settings (column 7, lines 22-28 of Rourke). The scanners are a part of the overall printing system at each client location (column 7, lines 2-14 of Rourke) which scan in the documents used for a print job, which have particular attributes (column 7, lines 15-31 of Rourke).

Rourke discloses that the first scanner performs the steps of automatically analysing said scan job as to scanner capabilities necessary for processing the scan job in accordance with the scan job settings of the job (column 10, lines 19-28 of Rourke); automatically checking if said first scanner can process the scan job in accordance with said scan job settings (column 10, lines 19-28 of Rourke); and if the first scanner cannot process the scan job in accordance with said scan job settings, automatically advising, through a display of the local operating unit, of at least one other scanner that can process the scan job in accordance with the scan job settings of the job (column 10, lines 55-65 of Rourke); and if the first scanner can process the scan job in accordance with the scan job settings,

starts processing the job (column 10, lines 30-35 and lines 47-50 of Rourke).

Regarding claim 11: Rourke discloses a printer for printing digital print files, for use in a network system including a plurality of printers (figure 2 and column 7, lines 15-31 of Rourke), each of said printers comprising: a network connection unit (figure 1(27) of Rourke) for communicating with the system (column 7, lines 11-14 of Rourke) and for receiving print files having preprogrammed settings, each print file comprising metadata specifying job information and print image data (column 7, lines 15-28 of Rourke); a print unit (figure 2(12-1) and column 6, lines 60-64 of Rourke); an operating unit (figure 2(12-1(CPU inherently part of print unit)) of Rourke) provided with operating means and a display (column 7, lines 15-20 of Rourke); a control unit (figure 2(15-1) of Rourke) including a maintaining mechanism for maintaining information on capabilities and status of connected printers (figure 7 and column 9, lines 9-13 of Rourke); an analysing mechanism for analysing a received print file as to printer capabilities necessary for printing the print file in accordance with the preprogrammed settings of the print file (column 8, lines 19-25 of Rourke); a checking mechanism for checking if the printer can print the print file in accordance with said preprogrammed settings (column 10, lines 19-26 of Rourke); and an advising mechanism for advising, in the case that the printer cannot print the print file, of at least one other printer that has the capabilities needed for printing said print file in accordance with said preprogrammed settings, but not issuing a print command to said other printers (column 10, lines 55-65 of Rourke); an extracting module for extracting at least part of the metadata of a received print file and storing

the same in a local memory dedicated to the control unit (column 10, lines 30-35 and lines 55-59 of Rourke); and a storing module (inherent computer memory in print unit) for storing the print image data of said received print file in a logical storage space allocated to said user (column 10, lines 47-50 and lines 59-63 of Rourke), wherein said control unit further includes: a print file selection mechanism for presenting print files, based on the metadata extracted by the extracting module, that can be selected via the operating means (column 10, lines 50-59 of Rourke); and a print file releasing mechanism for releasing a print file for printing by the print unit only after selection of that print file and an associated print command entered via the operating means (column 10, lines 59-65 of Rourke); wherein the control unit operates said advising mechanism upon selection of a print file, if the printer cannot print the print file in accordance with its preprogrammed settings (column 10, lines 40-54 of Rourke). The analysing mechanism, checking mechanism, advising mechanism, extracting module, print file selection mechanism, and print file releasing mechanism are all portions of software that is physically embodied as encoded software on a computer-readable medium that is executed by a CPU.

Regarding claim 12: Rourke discloses that said control unit decides if a printer can print a specific print file on the bases of whether the printer has the capabilities necessary for printing the print file (column 11, lines 6-11 of Rourke).

Regarding claim 13: Rourke discloses that said control unit gives the advice if another printer having said capabilities needed for printing said print file is available (column 10, lines 30-35 and lines 55-63 of Rourke).

Regarding claim 14: Rourke discloses that the information on capabilities and status of connected printers, maintained in each printer, includes the physical locations of said printers (column 8, lines 21-25 and column 10, lines 40-45 of Rourke), and that, if more than one other printer can print the file, the control unit advises one other printer (column 7, lines 7-11 and column 10, lines 28-35 of Rourke) on the basis of the walking distance from the first printer (column 10, lines 40-45 of Rourke).

Regarding claim 15: Rourke discloses that, if more than one other printer can print the file, the control unit advises one other printer (column 7, lines 7-11 and column 10, lines 28-35 of Rourke) on the basis of the degree of occupation (column 10, lines 40-47 of Rourke). One reason an available processor would have an unacceptable processing speed (column 10, lines 40-47 of Rourke) is if the available processor is overly occupied.

Regarding claim 17: Rourke discloses a metadata exchange module for exchanging metadata of print files directly or indirectly with another printer, wherein said control unit is operable to receive metadata from said metadata exchange module (column 8, lines 16-25 of Rourke).

Regarding claim 18: Rourke discloses that the network system further includes a plurality of scanners for processing digital scan jobs (column 7, lines 2-5 of Rourke), each of said plurality of scanners comprising: a network connection unit (figure 1(27) of Rourke) for communicating with the network system (column 7, lines 11-14 of Rourke); a scan unit (column 7, lines 2-5 of Rourke); an operating unit (figure 2(12-1(CPU inherently part of print unit)) of Rourke) provided with operat-

ing means and a display for entering a scan job command with scan job settings (column 7, lines 15-20 of Rourke); a control unit (figure 2(15-1) of Rourke) including a maintaining mechanism for maintaining information on capabilities and status of connected scanners (figure 7 and column 9, lines 9-13 of Rourke); an analysing mechanism for analysing an entered scan job command as to scanner capabilities necessary for processing the scan job in accordance with the scan job settings of the scan job (column 8, lines 19-25 of Rourke); a checking mechanism for checking if the scanner can process the scan job in accordance with said scan job settings (column 10, lines 19-26 of Rourke); and an advising mechanism for advising, in the case that the scanner cannot process the scan job, of at least one other scanner that has the capabilities needed for processing said scan job in accordance with said scan job settings (column 10, lines 55-65 of Rourke). The maintaining mechanism, analysing mechanism, checking mechanism, and advising mechanism are all portions of software that is physically embodied as encoded software on a computer-readable medium that is executed by a CPU. Furthermore, the scanners are a part of the overall printing system at each client location (column 7, lines 2-14 of Rourke) which scan in the documents used for a print job, which have particular attributes (column 7, lines 15-31 of Rourke). Therefore, the operations performed for the overall print job include the operations required for scanning in the documents, and thus for a scan job.

Regarding claim 19: Rourke discloses that said control unit decides if a scanner can process a specific scan job on the bases of whether the scanner has the capabilities necessary for processing the scan job (column 11, lines 6-11 of Rourke).

Regarding claim 20: Rourke discloses that said control unit gives the advice if another scanner having said capabilities needed for processing said scan job is available (column 10, lines 30-35 and lines 55-63 of Rourke).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Thompson whose telephone number is 571-272-7441. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

02 June 2006

James A. Thompson
Examiner
Technology Division 2625

THOMAS D. LEE
SUPERVISORY EXAMINER